

**3745. Misbranding of canned peas. U. S. v. 202 Cases of Canned Peas. Decree of forfeiture. Product ordered released under bond to be relabeled. (F. D. C. No. 6524. Sample No. 79053-E.)**

On December 16, 1941, the United States attorney for the Southern District of Indiana filed a libel against 202 cases of canned peas at Anderson, Ind., alleging that the article had been shipped in interstate commerce on or about August 12, 1941, by Ladoga Canning Co. from Washington Court House, Ohio; and charging that it was misbranded in that it was a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear, in such manner and form as the regulations specify, a statement that it fell below such standard.

On May 5, 1942, the Ladoga Canning Co. having appeared as claimant, judgment was entered finding the product misbranded and ordering its forfeiture. Thereupon, the claimant filed a petition to relabel the goods, paid costs of the proceedings, and executed a bond; and the court ordered the product released to the claimant to be relabeled and disposed of in conformity with the law.

**3746. Misbranding of canned peas. U. S. v. 92 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 7563. Sample No. 87593-E.)**

On May 27, 1942, the United States attorney for the District of Columbia filed a libel against 92 cases of canned peas at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about July 29, 1941, by A. W. Sisk & Sons from Union Mills, Md.; and charging that it was misbranded. The article was labeled in part: (Cans) "Carroco Brand Early June Peas Contents 1 Pound 4 Ounces Packed by John W. Humbert Union Mills, Md."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On June 19, 1942, John W. Humbert, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**3747. Misbranding of canned peas. U. S. v. 2,602 Cases and 258 Cases of Canned Peas. Decrees of condemnation. Portion of product ordered released unconditionally; remainder ordered released under bond for relabeling. (F. D. C. Nos. 6656, 7130. Sample Nos. 87281-E, 87461-E.)**

On January 6 and April 4, 1942 the United States attorney for the Northern District of West Virginia filed libels against 2,602 cases each containing 24 cans of peas at Clarksburg, and 258 cases, each containing 24 cans of peas, at Parkersburg, W. Va., alleging that the article had been shipped in interstate commerce within the period from on or about July 16 to on or about September 25, 1941, by Southern Packing Co., Inc., from Mountain Lake Park and Baltimore, Md.; and charging that it was misbranded. The article was labeled in part: (Can) "Value Brand Early June Peas."

It was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law but its quality fell below such standard because the alcohol-insoluble solids were more than 23.5 percent, and its label failed to bear a statement that it fell below such standard.

On June 2, 1942, the Southern Packing Co., Inc., having appeared as claimant, judgments of condemnation were entered and it was ordered that a portion of the product seized at Clarksburg, identified by certain codes, be released unconditionally and that the remainder of said lot and also the lot seized at Parkersburg, be released under bond for relabeling under the supervision of the Food and Drug Administration.

**3748. Misbranding of canned peas. U. S. v. 17 Cases of Canned Peas. Default decree of condemnation and destruction. (F. D. C. No. 7412. Sample No. 87569-E.)**

On May 4, 1942, the United States attorney for the Eastern District of Virginia filed a libel against 17 cases of canned peas at Miles Store, Va., alleging that the article had been shipped in interstate commerce on or about January 13, 1942, by Charles G. Summers, Jr., Inc., from New Freedom, Pa.; and